

**AT A REGULAR MEETING OF THE MONTGOMERY COUNTY PUBLIC SERVICE
AUTHORITY, HELD ON THE 8TH DAY OF SEPTEMBER 2009, 7:00 P.M., COUNTY
ADMINISTRATION CONFERENCE ROOM, MONTGOMERY COUNTY GOVERNMENT
CENTER, CHRISTIANSBURG, VIRGINIA:**

PRESENT:	Gary Creed	-Chair
	James Politis	-Vice Chair
	Mary Biggs	-Secretary-Treasurer
	Annette Perkins	-Member
	John Muffo	-Member
	William Brown	-Member
	Doug Marrs	-Member
	Robert C. Fronk	-PSA Director
	Linda Pendleton	-Senior Program Assistant
	Craig Meadows	-County Administrator
	Malvin Wells	-Planning Commission

CALL TO ORDER

Chair Creed called the meeting to order and determined that a quorum was present.

PUBLIC ADDRESS SESSION

There were no comments from the public.

CONSENT AGENDA

On a motion by William Brown, seconded by James Politis, and carried; IT WAS RESOLVED, that the Public Service Authority hereby approves the Consent Agenda, dated September 8, 2009.

The vote on the foregoing motion is as follows:

AYE	NAY	ABSENT
John Muffo		Annette Perkins
James Politis		Mary Biggs
William Brown		
Doug Marrs		
Gary Creed		

**APPROVAL OF MINUTES
DATED AUGUST 3, 2009**

On a motion by William Brown, seconded by James Politis, and carried; IT WAS RESOLVED, that the Public Service Authority hereby approves the minutes dated August 3, 2009.

The vote on the foregoing motion is as follows:

AYE
John Muffo
James Politis
William Brown
Doug Marrs
Gary Creed

NAY

ABSENT
Annette Perkins
Mary Biggs

APPROVE REGULATION – WATER/SEWER FACILITY FEE PAYMENTS

R09-09-1 RESOLUTION APPROVING REGULATION - WATER/SEWER FACILITY FEE PAYMENTS

On a motion by James Politis, seconded by William Brown, and carried; IT WAS RESOLVED, that the Public Service Authority hereby approves the following revised regulation in reference to water and sewer facility fee payments for residential and commercial developments; and, that said change will be incorporated into the Regulations for Water/sewer Service:

SECTION E - REGULATIONS FOR WATER/SEWER SERVICE

1 - Water/Sewer Service Fees:

(d) Facility Fee Payments for Developments

i. Facility Fee Payments for New Residential Developments:

Twenty-five (25) percent of the water and/or sewer facility fees for all lots shall be paid at the time of subdivision plat approval. Seventy-five (75) percent of the facility fee shall be paid prior to site/construction plan approval, issuance of a building permit or water use for the lot. When the facility fee is increased, the developer/applicant may pay the remaining seventy-five (75) percent of the prior fee within one (1) year after the effective date of the new fee. Thereafter, the remaining seventy-five (75) percent shall be based upon the fee in existence at the time the balance is paid.

The Authority is only obligated to reserve water and/or sewer capacity for five (5) years after plat/plan approval and thereafter connection to the Authority's water and/or sewer facilities shall only be allowed if capacity exists in the Authority's water and/or sewer facilities.

ii. Facility Fee Payments for New Commercial Developments:

Twenty-five (25) percent of the water and/or sewer facility fees for all lots shall be paid at the time of subdivision plat approval. Seventy-five (75) percent of the facility fee shall be paid prior to site/construction plan approval, issuance of a building permit or water use for the lot. When the facility fee is increased, the developer/applicant may pay the remaining seventy-five (75) percent of the prior fee within one (1) year after the effective date of the new fee. Thereafter, the remaining seventy-five (75) percent shall be based upon the fee in existence at the time the balance is paid.

The balance of the facility fee shall be paid within eighteen (18) months of the plat/plan approval. Thereafter, the Authority is not obligated to reserve water and/or sewer capacity and connection to the Authority's water and/or sewer facilities shall only be allowed if capacity exists in the Authority's water and/or sewer facilities.

iii. Facility Fee Payments for Existing Residential or Commercial Properties:
The entire facility fee (100%) shall be paid prior to site/construction plan approval, issuance of a building permit or water use for the lot.

iv. Prepaid facility fees for developments where the Authority is no longer obligated to reserve water and/or sewer capacity, may be transferred or credited within five (5) years after plat/plan approval towards another development within PSA service areas provided capacity exists in that service area. Facility fees shall be non-refundable. In order to maintain the prepaid facility fee after the five year transfer/credit period, the remainder of the facility fee shall be paid, a PSA utility account established and payment of minimum monthly charges.

The roll call vote on the foregoing resolution is as follows:

John Muffo	-Yes
James Politis	-Yes
William Brown	-Yes
Doug Marrs	-Yes
Gary Creed	-Yes
Annette Perkins	-Absent
Mary Biggs	-Absent

FINANCIAL REPORT

The financial report for period ending August 31, 2009 was presented for review and discussion.

DIRECTOR'S REPORT

Mary Biggs and Annette Perkins arrived during discussion of the Director's Report.

The Director's Report included the following items:

1. Monthly Activities Report
The August 2009 report was presented for review and discussion.
2. City of Radford Acceptance of Sewer Capacity Increase in VA 177 Corridor
On August 10, 2009, Radford City Council approved the PSA purchase offer dated August 6, 2009 for an additional 150,000 gallons per day sewer capacity in the VA 177 Corridor. A revision to the current VA 177 Corridor agreement is being prepared for review during the October 2009 PSA meeting.
3. VDOT Payment for Mid-County Sewer Project
The PSA received the payment of \$47,738 from VDOT on August 27, 2009 for the portion of the work for which they were responsible. This project is now concluded.
4. Pump Repair Contract – Radford Hospital Sewer Pump Repair Issues
The PSA encountered an issue with the current pump repair vendor performing warranty work for a damaged pump from the Radford Hospital sewer pump station. The vendor offered reimbursement of past payment for previous repairs for the pump and after consultation with the County Attorney, the PSA accepted the reimbursement of \$4,777.18.
Rather than repair a ten year old pump with a long maintenance record, the PSA purchased a new pump for \$6,496.00.
5. Sanitary Sewer Pretreatment Program – Issuance of Notice of Violation
The only industry currently under an industrial sewer discharge permit had a permit limit violation for Total Suspended Solids (TSS) from samples collected in May 2009. This

violation did not create any issues at the PSA sewage treatment facility. Due to the timing of the sample collection, this violation is classified as a significant non-compliance requiring issuance of a Notice of Violation (NOV) and publication in the newspaper at the end of the calendar year (January 2010).

6. Bethel (VA 177 Corridor) Sanitary Sewer Inflow and Infiltration Repairs
PSA staff has completed sewer system inspections identifying several areas requiring improvements in order to reduce inflow and infiltration (I&I). Repairs include replacement or rehabilitation of 10 to 15 manholes. Repairs are currently scheduled to being in about two weeks.
7. Fire Hydrant Inspection-Maintenance-Flow Testing Project
The contractor for this project has begun work and is expected to complete all by the second week of September 2009. The work included routine maintenance to insure proper operation, fire flow testing and painting/color coding to designate available fire flow of the hydrant.
8. Warm Hearth Sewer Pump Station Replacement Project
The contractor started work on this project several weeks ago and has completed the installation of the concrete pump station structure. This project is expected to be completed in November or December 2009.
9. Wastewater Operator Hire
The previous Elliston-Lafayette Sewage Treatment Plant Operator-in-Charge tendered his resignation with his last day being July 31, 2009. The PSA advertised the wastewater operator position as requiring an operator's license and only received one application meeting this requirement. Fortunately, this applicant has a Class I wastewater license and considerable wastewater experience. The new operator, Robert Stull started on August 24, 2009.

AUTHORITY MEMBERS' REPORT

Member Creed	-Thanked the Director for his negotiations with the City of Radford to acquire additional sewer capacity in the 177 Corridor. He appreciated the timely manner in which this was accomplished.
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INTO CLOSED MEETING

(In at 7:12 p.m.)

On a motion by Mary Biggs, seconded by Doug Marrs, and carried; IT WAS RESOLVED, that the Public Service Authority hereby enters into Closed Meeting for discussion of the following:

Section 2.2-3711	(1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
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1. Personnel

The vote on the foregoing motion is as follows:

AYE John Muffo James Politis Annette Perkins	NAY	ABSENT
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William Brown
Doug Marrs
Mary Biggs
Gary Creed

OUT OF CLOSED MEETING

(Out at 7:47 p.m.)

On a motion by Doug Marrs, seconded by William Brown, and carried; IT WAS RESOLVED, that the Public Service Authority hereby ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion is as follows:

AYE	NAY	ABSENT
John Muffo		
James Politis		
Annette Perkins		
William Brown		
Doug Marrs		
Mary Biggs		
Gary Creed		

CERTIFICATION OF CLOSED MEETING

On a motion by Annette Perkins, seconded by James Politis, and carried; IT WAS RESOLVED, that the Public Service Authority of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, that the Public Service Authority does hereby agree, that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the meeting to which this certification resolution applies; and (ii) only public business matters as were identified in the motion conveying the Closed Meeting were heard, discussed or considered by the Authority.

The vote on the foregoing motion is as follows:

AYE	NAY	ABSENT
John Muffo		
James Politis		
Annette Perkins		
William Brown		
Doug Marrs		
Mary Biggs		
Gary Creed		

ADJOURNMENT

There being no further business, the Chair adjourned the meeting to the next meeting scheduled for Monday, October 5, 2009.